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11-CV-00315-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARVIN KRONA,)
Plaintiff,) Case No. C11-315-JLR
v.) ORDER
JESUS CASTILLO,)
Defendants.)

The Court, having reviewed the complaint, the papers filed in support of and in opposition to defendant's motion for summary judgment (Dkt. 17), the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and any objections or responses to that, and the remaining record, finds and Orders as follows:

1. The Report and Recommendation is **ADOPTED**;
2. Defendant's motion for summary judgment (Dkt. 17) is **GRANTED**;
3. Any claims against the Snohomish County Sheriff are **DISMISSED** without prejudice for failure to state a claim upon which relief may be granted;
4. Plaintiff's motion to continue this matter (Dkt. 30) is **DENIED**;
5. Plaintiff's motion to withdraw (Dkt. 28) his motion to voluntarily dismiss this matter (Dkt. 25) is **GRANTED**;

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6. Plaintiff's *in forma pauperis* status is **REVOKED** because any appeal of this matter would be frivolous, and plaintiff is advised that he may reapply for *in forma pauperis* status before the United States Court of Appeals for the Ninth Circuit; and

7. The Clerk shall send a copy of this Order to plaintiff and to Judge Tsuchida.

DATED this 20th day of February 2012

JAMES L. ROBART
United States District Judge